

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LLOYD THOMAS BERNARD, II;
STEPHANIE CELESTE TEJADA-
OTERO,

Plaintiffs,

v.

COUNTY OF SAN JOAQUIN, et al.,

Defendants.

No. 2:21-cv-0172 JAM DB PS

ORDER TO SHOW CAUSE

Plaintiffs Lloyd Thomas Bernard and Stephanie Celeste Tejada-Otero are proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). Plaintiffs commenced this action on January 28, 2021, by filing a complaint and paying the required filing fee. (ECF No. 1.) On February 19, 2021, summons for the defendants were issued. (ECF No. 3.) After plaintiffs failed to take any action, the undersigned issued plaintiffs an order to show cause for failure to prosecute on October 4, 2021. (ECF No. 6.)

On October 14, 2021, plaintiff filed a response requesting a ninety-day extension of time to serve the defendants. (ECF No. 7.) Plaintiffs' request was granted on December 17, 2021. (ECF No. 9.) The ninety-days have passed and plaintiffs have again failed to prosecute this

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1 action. In light of plaintiffs' pro se status, and in the interests of justice, the court will provide
2 plaintiffs with an opportunity to show good cause for their conduct.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiffs show cause in writing within fourteen days of the date of this order as to why
5 this case should not be dismissed for lack of prosecution¹; and

6 2. Plaintiffs are cautioned that the failure to timely comply with this order may result in a
7 recommendation that this case be dismissed.

8 DATED: April 8, 2022

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

27 ¹ Alternatively, if plaintiffs no longer wish to pursue this civil action, plaintiffs may comply with
28 this order by filing a request for voluntary dismissal pursuant to Rule 41(a) of the Federal Rules
of Civil Procedure.